

CITATION

LEANDREA HENSLEY, ET AL

VERSUS

DR. VICTOR JACKSON

Case: 00126202
Division: B
State of Louisiana
16th Judicial District Court
Parish of Iberia

**To: DR. VICTOR JACKSON
808 JEFFERSON TERRACE
NEW IBERIA, LA 70560**

of IBERIA Parish

You are hereby summoned to comply with the demand contained in the PETITION of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, the 16th Judicial District Court in and for the Parish of Iberia, State of Louisiana, within fifteen (15) days after the service hereof, under penalty of default.

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE AT NEW IBERIA, LOUISIANA, THIS
6 DAY OF MAY, 2015.

Michael Thibodeaux
Clerk of Court
16th Judicial District Court
Parish of Iberia


Deputy Clerk of Court

Requested by:
GERA H. RUSSELL, III
P. O. BOX 22266
LAFAYETTE, LA 70505-3266

2015 MAY 7 AM 8 49

[SERVICE COPY]

GOVERNMENT
EXHIBIT

A

LEANDREA HENSLEY, ET AL

16TH JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO.: 126202-3

PARISH OF IBERIA

DR. VICTOR JACKSON

STATE OF LOUISIANA

PETITION FOR DAMAGES IN MEDICAL MALPRACTICE

NOW INTO COURT, through undersigned counsel, comes LEANDREA HENSLEY, ED BATTLE, and MARCUS BATTLE, persons of the full age of majority and domiciled in Iberia Parish, who respectfully represent that:

1.

Made defendant herein is DR. VICTOR JACKSON, a doctor practicing in the parish of Iberia, who can be served at his office address, 806 Jefferson Terrace, New Iberia, Louisiana,

70560

2.

On or about March 6, 2014, EDWARD BATTLE, a patient of DR. VICTOR JACKSON, was in the Emergency Room, was briefly seen, and then released without supplemental oxygen.

3.

As a result of the fact that he did not have supplemental oxygen, he became unresponsive and died on March 8, 2014.

4.

A timely Medical Review Panel complaint was made in this case and the Division of Administration sent a letter dated April 7, 2015, with the information that DR. VICTOR JACKSON is not a qualified health care provider.

5.

DR. VICTOR JACKSON fell below the standard of care in failing to insure that MR. BATTLE had supplemental oxygen after his stay in the Emergency Room so as to keep him stable and not put him in distress. This led directly to his death.

6.

LEANDREA HENSLEY, ED BATTLE, and MARCUS BATTLE, the children of MR. EDWARD BATTLE, are entitled to all damages as may be appropriate under Louisiana law for the survival action of their father, and for their own claims of wrongful death of their father.


These include pain, suffering, mental anguish, and loss of society.

7.

Plaintiffs' claims exceed the jurisdictional limits for a trial by jury, and they seek a jury trial in this matter.

WHEREFORE, it is prayed that after all due proceedings have been had, there be judgment rendered herein in favor of LEANDREA HENSLEY, ED BATTLE and MARCUS BATTLE, the children of EDWARD BATTLE, as plaintiffs, and against DR. VICTOR JACKSON, as defendant, for all damages as may be appropriate under Louisiana law, for penalties and attorney's fees, for all costs of these proceedings, and for legal interest from date of the filing of the Medical Review Panel (February 25, 2015) until paid.

Respectfully Submitted:


SERA H. RUSSELL, III (#8709)
Attorney at Law
111 Mercury Street
Post Office Box 53866
Lafayette, LA 70505-3866
Tel.: (337)237-7171
Fax: (337)237-9199
ATTORNEY FOR PLAINTIFF

PLEASE SERVE:

DR. VICTOR JACKSON
806 Jefferson Terrace
New Iberia, LA 70560

Filed May 6 2015
Signed: Phyllis D. Nelson, Dty. Clk.
A TRUE COPY

ATTEST: Phyllis D. Nelson
Dty. Clerk of Court
Iberia Parish, LA